

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 6034

BILL NUMBER: HB 1020

DATE PREPARED: Oct 26, 1998

BILL AMENDED:

SUBJECT: Alcohol offenses by minors.

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill removes certain defenses allowed to a permit holder who is charged with unlawfully furnishing an alcoholic beverage to a minor. It makes it a Class B misdemeanor instead of a Class C misdemeanor for a person to recklessly sell, barter, exchange, provide, or furnish an alcoholic beverage to a minor.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues: If additional court cases occur and fines are collected or a person is sentenced for a Class B misdemeanor rather than a Class C misdemeanor, revenue to the Common School Fund could increase. The maximum fine for a Class C misdemeanor is \$500 while the maximum fine for a Class B misdemeanor is \$1,000. Court fees of \$120 would remain unchanged.

If additional court cases occur, revenue to the state General Fund could increase. If the case is filed in a circuit, superior, county or municipal court (courts of record), 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: Costs to local governments could increase because the maximum term of imprisonment for a Class C misdemeanor is up to 60 days while the maximum term for a Class B misdemeanor is up to 180 days. The average daily cost of housing a prisoner is an approximately \$44.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law

enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts; local law enforcement agencies.

Information Sources: Indiana Sheriffs Association.